

**GRAYSLAKE COMMUNITY HIGH SCHOOL
DISTRICT 127**



**Request for Proposal (RFP)
for
Guaranteed Energy Savings Contract Project**

**Prepared by:
Dr. Michael G. Zelek
Associate Superintendent
Phone: (847) 986-3445**

REQUEST FOR PROPOSAL

OWNER: Board of Education, Grayslake Community High School District 127,
Grayslake, IL 60030.

OFFICE: Associate Superintendent, 400 North Lake Street, Grayslake, Illinois 60030

ISSUED: Friday, April 12, 2013

The Board of Education of Grayslake Community High School District 127, 400 North Lake Street, Grayslake, Illinois 60030 will receive Proposals for Guaranteed Energy Savings for Grayslake Community High School District 127. The District reserves the right to cancel the contract without cause with (30) thirty days' notice at any time throughout the contract period. The contract shall follow the requirements of Article 19b of the Illinois School Code "School Energy Conservation Measures." The District may enter into a contract with the provider that best meets the needs of the District. The District will only consider those companies who meet all requirements listed in the RFP. In accordance with the Illinois School Code Article 19B-3, we disclose that Performance Services, Inc. participated in the preparation of these specifications.

Specifications are on file and may be examined any time after 10:00 a.m. on Friday, April 12, 2013 at the District Office of Grayslake Community High School District 127, 400 N. Lake Street, Grayslake, Illinois 60030 or via the Illinois State Board of Education Capital Development Board website.

MANDATORY WALKTHROUGH

There will be a mandatory walkthrough for this project (the provider must attend in order to submit a Proposal on this project) at the District Offices, at the place, date and time listed below:

Place: Grayslake Community High School District 127, District Office, 400 North Lake Street,
Grayslake, Illinois 60030 (corner of Lake and School Streets, south side of Grayslake Central)

Date: Friday, April 26, 2013

Time: 1:00 p.m.

PROPOSAL SUBMITTAL DATE

Sealed proposals must be received by the Board of Education, or designee, Grayslake Community High School District 127, Grayslake, Illinois at the place, date and time listed below:

Place: Grayslake Community High School District 127, District Office, 400 North Lake Street,
Grayslake, Illinois 60030

Date: Monday, May 13, 2013

Time: 9:00 a.m.

Proposals shall be submitted in an opaque envelope, clearly marked with "Guaranteed Energy Savings Proposal" in the corner, and addressed to Dr. Michael Zelek, Associate Superintendent, at the above address. Proposals must be either hand carried and delivered to the District Office location, cited above or mailed certified return receipt requested and received any time prior to, but not later than, 9:00 a.m., Monday, May 13, 2013. The School District cannot assume the responsibility for delayed postal deliveries and does not recognize postmarks as representing the fact that a Proposal has been "received" by the School District before the specified deadline. Proposals received after the time specified in the Request for Proposals will not be considered.

No proposals may be withdrawn for a period of 30 days after May 13, 2013.

The Board of Education reserves the right to waive any irregularities, reject any or all proposals, when in its opinion such action will serve the best interests of the Board of Education of Grayslake Community High School District 127.

I GENERAL INFORMATION

Grayslake Community High School District 127 (the District) requests proposals for the implementation of energy conservation measures, repairs and replacement services at Grayslake Community High School District 127 on a performance contracting basis. The District's objectives in issuing this Request for Proposal are to provide a competitive means in which to select a single Qualified Provider with a Certified Professional Engineer on staff and be a State Certified guaranteed energy savings company to perform the implementation of a guaranteed savings contract.

1. General Instructions

- a. Submit four (4) hard copies plus one electronic copy (recorded as a PDF on a CD or other external drive), in an envelope properly marked with the title of the proposal.
- b. Seal and deliver to Dr. Michael Zelek, Associate Superintendent, in the District Office (400 N. Lake St., Grayslake, Illinois 60030) on or before deadline for submittals.
- c. Unsigned or late proposals will not be considered.
- d. Grayslake Community High School District 127 is not subject to Federal Excise Tax or Illinois Retailers Occupational Tax.
- e. Oral, telephonic, telegraphic or faxed proposals will not be accepted. The use of District transmission equipment by Providers is prohibited.
- f. All questions regarding this proposal will be collected and answered in an addendum sent to you via email. Please send all questions to bbruce@d127.org by Friday May 3, 2013 before 2:30 p.m. **NO QUESTIONS WILL BE ANSWERED AFTER THAT DATE.**
- g. **Providers will acknowledge receipt of each addendum issued on the form provided.**
Oral explanations will not be given.

2. Errors and Omissions

All proposals shall be submitted with each space properly completed. The special attention of Providers is directed to the policy that no claim for relief because of errors or omissions in the proposal will be considered, and Providers will be held strictly to the proposals as submitted. Should Providers find any discrepancies in, or omissions from, any of the documents, or be in doubt as to their meanings, they shall email any questions to Barbara Bruce at bbruce@d127.org, and an addendum will be issued with the necessary clarifications to all prospective Providers by means of email.

3. Withdrawal of Proposals

Proposals may be withdrawn by letter, FAX, or in person prior the submittal deadline.

4. Investigation of Providers

- a. The District Office will make such investigation as necessary to determine the ability of the Provider to fulfill their proposal. The Provider shall furnish such information as may be requested and shall be prepared to show completed installations of equipment, types of service or supplies similar to those included in their proposal.
- b. The Board of Education reserves the right to reject any proposal if it is determined that the Provider is not properly qualified to carry out the obligations of the contract.

5. Reservation of Rights by the Institution

- a. The Board of Education reserves the right to reject any or all proposal, to waive irregularities, considering conformity with specifications, terms of delivery, quality, and serviceability. All items shall be new unless otherwise specified. By submitting a

proposal, Providers agree to mandatory binding arbitration on all proposed Guaranteed Energy Savings disputes.

- b. The Board of Education does not assume responsibility for delayed postal deliveries and does not recognize postmarks as representing the fact that a Proposal has been “received” by the School District before the specific deadline.

6. Prevailing Wage Act

It shall be mandatory upon the Provider(s) while under contract to Grayslake Community High School District 127, Lake County, Illinois, that said Provider has and will fully comply with the applicable provisions, of the Illinois Prevailing Wage Rate Act, (820 ILCS 130/0.01) *et seq.* (“the Act”). The Act requires Providers and sub-contractors to pay laborers, workers and mechanics employed by them no less than the “prevailing rate of wages” (hourly cash wages plus fringe benefits) in the county where the work is performed. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor’s website at: <http://www.state.il.us/agency/idol/rates/rates.htm>.

Providers and sub-contractors must also pay the general prevailing rate for legal holiday and overtime work as ascertained by the Department of Labor. All Providers and sub-contractors rendering services under this contract must comply with all requirements of the Act, *including but not limited to*, all wage, notice and record keeping duties. Providers are required to increase wages as necessary during the term of this contract so as to keep current with prevailing wage rates. No changes will be allowed in the amount of this contract as additional compensation for such changes. Provider(s) must provide the District with certified payroll sheets for all parties employed for this project for payments to be released to Provider.

8. Equal Employment Opportunity

During the performance of this Contract (whether or not Federal funds are involved) the Provider agrees as follows:

- a. The Provider will not discriminate against any employee or applicant for employment because of age, race, creed, color, sex, national origin or disability. The Provider will take affirmative action to ensure the applicants are employed, and that employees are treated equally during employment, without regard to their age, race, creed, color, sex, national origin or disability. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Provider agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- b. The Provider will, in all solicitations or advertisements for employees placed by or on behalf of the Provider, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, sex or national origin.
- c. The Provider will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto and will permit access to his/her books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation, to ascertain compliance with such rules, regulations and orders.
- d. In the event of the Provider’s noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations or orders, this Contract may be canceled, terminated or suspended in whole or in part and the Provider may be declared ineligible for further Government contracts or Federally assisted construction contracts, in

accordance with the procedures authorized in Executive Order of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.

- e. The Provider shall include the provisions of paragraphs a. through d in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Sec. 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each sub-contractors or vendor. The Provider shall take such action with respect to any sub-contractors or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance, provided, however, that in the event the Provider becomes involved in, or is threatened with, litigation with a sub-contractors or vendor as a result of such direction by the contracting agency, the Provider may request the United States to enter into such litigation to protect the interest of the United States.

9. Human Rights Act

It shall be mandatory that the Provider will not discriminate against any employee or applicant for employment upon any grounds prohibited by the Human Rights Act (775 ILCS 5/1-101) and further that the Provider will comply with all provisions of the Human Rights Act including, but not limited to, rules and regulations of the Illinois Human Rights Commission.

10. Contracts

The successful Provider will be required to enter into a contract incorporating the terms and conditions of this RFP and the Providers proposal. District reserves the right to cancel the contract without cause with (30) thirty days notices at any time throughout the contract period.

II PROPOSAL CONTENT AND FORMAT

Proposals must be submitted in the format outlined in this section. For each proposal a checklist will be used in reviewing the proposal to determine if it is complete prior to actual evaluation. The District reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein.

A. Table of Contents

Responses shall include a table of contents properly indicating the section and page numbers of the requested information in the order as requested by the District outlined in this RFP.

B. Executive Summary

Responses shall include a concise abstract stating the respondent's overview of the project. Project pricing and breakdown must be included in the summary.

C. Company Profile

This section should include the following information about the Qualified Provider.

1. Firm name, address, location of Northern Illinois Office and Corporate Headquarters, telephone number, email address, and main contact person who would be assigned to Grayslake Community High School District 127.
2. A one page signed executive summary of your interest in the project and qualifications.
3. Company Qualifications.
4. Resumes of all key project personnel. Include the name of the engineer(s) or engineering firm providing the design engineering for the project including their Professional Engineer's numbers as well as the Professional Engineer's numbers of all full time employees of the Qualified Provider who are professional engineers registered in the State of Illinois and who will be working on this project.
5. Examples of specific knowledge and expertise related to educational projects, including project management skills, methodology used to monitor project budget/actual costs, and how your firm maintains implementation schedules.
6. Provide a minimum of seven references on your most recent completed projects for Guaranteed Energy Savings Contracts (GESCs) where similar solutions have been implemented in an educational setting, including name, contact person, address and telephone number of other owners for which your firm and assigned key personnel who were assigned to those projects.
7. Provide actual examples of guaranteed savings returned to the owner.
8. Provide a brief history and explanation of all pending or settled litigation/arbitration against your firm during the past 5 years. List the school/company, project type and all providers which the school/company has entered into litigation or arbitration. Omission of any past litigation will result in disqualification.
9. Describe the change order history for your last five (5) school projects. Show the project cost by trade at Proposal opening and total amount by trade of change orders at completion of the project.
10. List final your proposed cost estimates before going out to Proposal and actual Proposal prices of your last five (5) school projects.

11. Please describe your pre-project services including cost estimating, scheduling and phasing input, etc.
12. Include a maximum of one page for additional information not addressed above, if you believe it may be useful and applicable to this request.

D. Technical Approach

Please provide the following information about the respondent's technical approach to meet the District's energy efficiency, operating cost reduction and comfort objectives.

1. Include a "Needs and Solutions" section explaining facility needs and solutions the Provider recommends for all proposed improvements.
2. Proposals may include the following improvements and other improvements that the Provider may choose to offer. Improvements should be listed for any school where the Provider identifies needs and appropriate solutions.
3. For any work where the Provider will be providing pricing, provide the following documentation for the scope of work being proposed.
 - a. Detailed drawings of proposed improvements must be provided.
 - b. Separate from the drawings provide in Section D of the proposal an Equipment/Material Table providing: manufacturer, type, model, size, and quantity for all equipment/fixtures must be provided.
4. Describe your firm's engineering approach to the technical design of this project.
5. Provide a detailed explanation of your firm's Energy Engineering and describe how the Provider intends to calculate energy savings and what types of guarantees will be offered (utility bill analysis, actual measurements and stipulated savings and the cost of each option). Show the actual energy savings calculations and an energy savings contract of the provider's recent project not just stipulated savings.
6. Described the process that the Provider utilizes to obtain their Providers and what criteria will be used to make the Provider selections.
7. Described the process that the Provider utilizes to obtain the equipment to be used on the project and specifically what criteria will be used to make equipment selections.
8. Describe how the Provider intends to implement the installation phase of the project in terms of approach, priorities, philosophies, timelines, change-orders and commissioning
9. Described in detail the (4) Four Season Optimization commissioning processes that the Provider intends to utilize to commission the building for the learning environment and energy efficiency. Provide actual documents for past projects where this same approach was utilized.
10. Described in detail the performance assurance processes that the Provider intends to utilize to insure the building operates at peak performance both at the completion of the installation phase and throughout the contract term. Provide actual guaranteed savings reports from past projects where this same approach was utilized showing how both energy and operational savings were calculated.

11. Supply any additional information about the Provider's technical approach to the project may be included in the proposal.

E. Financial Aspects

Section E should contain the financial components of the proposed work as identified below.

1. Describe in detail the process that the Provider intends to utilize to obtain the best prices for the District both initially and if additional work is required. Explain why this is the best approach.
 - a. Include the firm cost and guaranteed energy savings amount for all proposed improvements for each facility.
 - b. Provide the pricing process for any future work including percentage markup for expected general conditions/internal costs, engineering labor, project management labor and profit markup.
2. Explain how the Provider intends to maximize energy savings and the advantage to the Provider's approach. Include in this proposal the provider's actual Guarantee Energy Savings Contract for the priced improvements along with all corresponding calculations. You must break out actual (real dollar) energy and operational savings in the RFP response.
3. **Energy Savings Results**
 - a. Provide an annual energy savings report (M&V) to the district. Detail how the report is generated. Include any information with regards to cost and timing of the report.
4. **Shortfalls**
 - a. The Provider must include a summary of the reported annual savings for all completed projects. Any projects that did not meet the annual energy guarantee must be listed with an explanation for the shortfall.
5. Project funding will be developed by the school after selection of the provider.

F. Implementation Plan

1. Include in your proposal an implementation plan including dates describing how the qualified provider intends to execute the project that meets the timelines set forth in these specifications.
2. Describe in detail your approach to project management for this energy conservation program.
3. Provide an implementation timetable as well as a staffing plan identifying key project management personnel.

G. Other

1. Submittal(s) must be prepared and presented to the District in the order listed above to be considered.
2. The Provider agrees that it shall not employ any person who has or may have direct, daily contact with the pupils of any school in the District, and for whom a criminal background investigation has not been conducted. The District will conduct the criminal background check with the expense to be the burden of the Provider.

III EVALUATION CRITERIA

The District will likely reject any proposal that does NOT meet the minimum criteria described in this RFP and may at their discretion deduct points from the scoring rubric if the RFP format is not followed. For proposals meeting or exceeding the minimum criteria, the District will rate each proposal based on the weighted scoring criteria shown below. The District intends to award a contract to the Provider offering the best value proposal. The best value proposal will be the proposal with the highest score based on 100 total points.

A. Ability of the team to successfully implement Program (30 points)

1. Reputation of the Provider for successfully implementing energy savings projects and providing proven energy savings with scopes of work similar to those being considered for this project
2. Reputation of team members and Providers that are part of the team
3. Background and Proposals of the people responsible for implementing the proposed GESC. This includes in-house engineers and technicians responsible for the designing, programming and commissioning of the project
4. References of the company and people responsible for implementing the project

B. Technical Approach (20 points)

1. Design and quality of the proposed solutions best suited for the district
2. Depth, breadth and detail of the engineering-drawings must be provided
3. Effectiveness of the proposed solutions related to energy savings, operational / maintenance improvement and learning environments

Preference will be given to proposals that include a detailed and sound technical approach to meeting the District's objectives. Drawings must be provided

C. Financial Consideration & Net Economic Impact (30 points)

1. Value offered by the Provider in terms of price and the scope of work
2. Pricing structure and process to be utilized to price any work negotiated after Provider selection
3. Energy savings approach and company's past performance related to guaranteed energy savings in Illinois schools

D. Performance Guarantees (20 points)

1. Value offered by the energy savings guarantee
2. Value offered by other guarantees included in the proposal

Non-Collusion Affidavit

STATE OF ILLINOIS

SS:

LAKE COUNTY

The undersigned Provider or agent, being duly sworn, on oath says that he has not, nor has any other member, representative, nor agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be proposed by anyone at such letting, nor to prevent any person from proposing nor to induce anyone to refrain from proposing, and that this proposal is made without reference to any other proposal and without agreement, understanding or combination with any other person in reference to such proposing.

He further says that no person or persons, firms or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

(Provider or Agent)

FOR _____
(Firm or Corporation)

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

Certification of Eligibility to Proposal

The Provider hereby certifies that the Provider is not barred from proposing on this contract as a result of a violation of either the proposal-rigging or proposal-rotating provisions of Article 33E of the Criminal Code of 1961, as amended.

(Signature)

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

Sexual Harassment Clause

Each Provider must certify that it has complied with the requirement of section §2-105 of the Illinois Human Rights Act (Public Act 87-1257) effective July 1, 1993, with respect to sexual harassment policies. The terms of that law, as applicable, are hereby incorporated into this contract.

The Board of Education states that it is in compliance with said law.

(Signature)

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

Drug Free Workplace Certification

The Provider does hereby certify pursuant to Section 3 of the Illinois Drug-Free Workplace Act (30 ILCS 580/3) that the Provider shall provide a drug-free workplace for all employees engaged in the performance of work under the Contract by complying with the requirements of the Illinois Drug-Free Workplace Act and, further certifies, that the Provider is not ineligible for award of this Contract by reason of debarment for a violation of the Illinois Drug-Free Workplace Act.

(Signature)

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

Certificate of Compliance with Prevailing Wage Act

Provider, does hereby certifies that while under contract to Grayslake Community High School District 127, Lake County, Illinois, that said Provider has and will fully comply with the applicable provisions, of the Illinois Prevailing Wage Rate Act, (820 ILCS 130/0.01)

Provider also will maintain records of payments following the Prevailing Wage Rate Act (820 ILCS 130/5 (a) (1), (b)

Provider will submit certified payroll records following the Prevailing Wage Rate Act (820 ILCS 130/5 (a)(2)

Name of Provider (Please print)

By: _____
Authorized Signature

Title

Date

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

STATEMENT OF ETHICS CERTIFICATION

By submission of this Proposal or proposal, the Provider certifies that:

- a. This proposal or proposal has been independently arrived at without collusion with any other Provider nor with a competitor.
- b. This proposal or proposals has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of proposals or proposals for this project, to any other Provider, competitor or potential competitor.
- c. No attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a proposal or proposals.
- d. Provider has not been convicted of price fixing nor pleaded "no contest" to such charges within the last five (5) years.
- e. Provider is not a subsidiary of a company that has been convicted of price fixing nor pleaded "no contact" to such charges within the last five (5) years.

Name of Provider

By: _____
Authorized Signature

Title

Date

Subscribed and sworn to before me this ____ day of _____, 20____.

My Commission Expires:

(Notary Public)

GRAYSLAKE COMMUNITY HIGH SCHOOL DISTRICT 127

CERTIFICATION REGARDING

CRIMINAL BACKGROUND INVESTIGATIONS

Provider agrees that it shall not employ any person who has or may have direct, daily contact with the pupils of any school in the District, and for whom a criminal background investigation has not been conducted pursuant hereto, and further represents and agrees that all applicants for any such employment shall complete the District form authorizing the Board of Education to request a criminal background investigation of said applicant pursuant to Section 5/10-21.0 of the School Code of Illinois and to receive criminal history record information pursuant thereto to determine if the applicant has been convicted of committing or attempting to commit any of the criminal or drug offenses therein.

Provider further represents, warrants, and certifies that no applicant for employment with respect to whom the criminal investigation reveals any conviction for committing and/or attempting to commit any of the above enumerated offenses, shall be employee thereby in any position that involves or may involve contact with the students of the school district.

Name of Provider (Please Print)

Date

By: _____
(Signature)

Position with Provider

Subscribed and sworn to before me this ____ day of _____, 20 ____.

My Commission Expires:

(Notary Public)

Courtesy “No Submittal” Response Questionnaire

If you are not submitting a price on this Proposal, District 127 would like your input as to why you are not submitting a proposal.

Please indicate your reason and return by Proposal Due Date to:

Dr. Michael G. Zelek, Associate Superintendent
Grayslake High School District 127
400 North Lake Street
Grayslake, IL 60030
(847) 986-3400

- ☐ Previous commitments, too busy
- ☐ Too small a job
- ☐ Too large a job
- ☐ Our firm is not suited for this type of work
- ☐ Do not like to respond to these types of jobs
- ☐ Could not schedule site examination
- ☐ Cannot get bonding for this job
- ☐ Other_____
- _____
- _____

Company Name_____

Address_____

City, State & Zip Code_____

Telephone Number_____

By_____

Title_____

Date_____